

REMARKS

Claims 1-3, 5-6, 21-23 and 25-26 were examined and reported in the Office Action. Claims 1-3, 5-6, 21-23, and 25-26 are rejected. Claims 1 and 21 are amended. Claims 1-40 remain. . Attached hereto is a marked-up version of the amendments to the application as indicated above.

Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. § 102(b)

It is asserted in the Office Action that claims 1-3, 5, 21-23 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,544,726 issued to Topouzian, et al. ("Topouzian"). Applicant respectfully disagrees.

Applicant's amended claim 1 contain the limitations of "a plurality of aerodynamically shaped standoff vanes each having a leading edge, a trailing edge, a top and a bottom coupled to the upper section, the aerodynamically shaped standoff vanes space apart the upper section from a brake rotor." Applicant's amended claim 21 contains the limitations of "the aerodynamically shaped standoff vanes space apart the hub from the rotor."

It is asserted in the Office Action that Topouzian discloses "a mounting hat 14 for a brake rotor 12 ... comprising: a lower section 14 coupled to an upper section 34, a plurality of aerodynamically shaped standoff vanes 46 each having a leading edge, a trailing edge, a top and a bottom coupled to the upper section ...and a plurality of vents 66." Also, it is asserted that the extending end 46 disclosed in Topouzian obstructs air or standoffs the air so that air is directed into vent 66. Topouzian, discloses that inwardly extending ends 46 are part of primary fins 40. These inwardly extending ends 46 of primary fins 40 do not "space apart an upper section from a brake rotor" or "space apart the hub from the rotor."

Since the invention of Topouzian does not teach, suggest or disclose the limitations contained in Applicant's amended claims 1 and 21, as stated above, Applicant's claim s 1and 21 are not anticipated by Topouzian. Additionally, the claims

that depend directly or indirectly on claims 1 and 21, namely claims 2-3, 5 and 22-23 and 25, respectively, are also not anticipated by Topouzian for the above same reason.

Accordingly, withdrawal of the 35 U.S.C. § 102(b) rejections for claims 1-3, 5, 21-23 and 25 is respectfully requested.

II. 35 U.S.C. § 103(a)

It is asserted in the Office Action that claims 6 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Topouzian in view of U.S. Patent No. 5,810,123 issued to Giorgetti et al. ("Giorgetti"). Applicant respectfully disagrees.

It is asserted in the Office Action that Giorgetti shows "a mounting hat 10 where a standoff vane 14 is bored as shown in figure 2 to accept a lug 15." Giorgetti, however, discloses a plurality of forks 14, where each prong of a fork 14, prong 16 and prong 17, are pierced by coaxial holes 18 and 19, respectively. Lug 15 and fork 14, along with pin 22 form the attachment means 13. Forks 46 are not standoff vanes, but a main part of attachment means 13 to be formed from forks 14, lug 15 and pins 22. Forks 14, as disclosed by Giorgetti, do not "space apart the upper section from a brake rotor" or "space apart the hub from the rotor." (Applicant's amended claims 1 and 21, respectively). Thus, Giorgetti does not teach, disclose or suggest the limitations contained in Applicant's amended claims 1 and 21.

As asserted above in section I, Topouzian does not teach, disclose or suggest the limitations of Applicant's claims 1 and 21, in which claims 6 and 26 indirectly depend on, respectively, of "a plurality of aerodynamically shaped standoff vanes each having a leading edge, a trailing edge, a top and a bottom coupled to the upper section, the aerodynamically shaped standoff vanes space apart the upper section from a brake rotor" and "the aerodynamically shaped standoff vanes space apart the hub from the rotor," respectively. Since neither Topouzian nor Giorgetti teach, disclose or suggest the limitations contained in Applicant's amended claims 1 and 21, from which claims 6 and 26 depend on, respectively, it would not have been obvious to one of ordinary skill in the art to combine the teachings of Topouzian in view of Giorgetti.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 6 and 26 are respectfully requested.

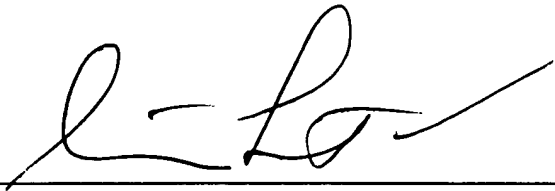
CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely 1-40, patentably defines the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN


Dated: February 12, 2002

By: 
Steven Laut
Reg. No. 47,736

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited as First Class Mail with the United States Postal Service in an envelope addressed to: Box AF, Commissioner for Patents, Washington, D.C. 20231 on February 12, 2002.


Linda D Elia 2/12/2002

Attachment: Version With Markings To Show Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

The claims have been amended as follows:

1. A mounting hat for a brake rotor comprising:
a lower section coupled to an upper section,
a plurality of aerodynamically shaped standoff vanes each having a leading edge, a trailing edge, a top and a bottom coupled to the upper section, the aerodynamically shaped standoff vanes space apart the upper section from a brake rotor; and
a plurality of vents formed between adjacent aerodynamically shaped standoff vanes, wherein the vents are circumferentially distributed on the upper section, and air flow is induced to flow through the plurality of vents.

21. A brake rotor comprising:
a rotor,
a hub having a plurality of aerodynamically shaped standoff vanes each having a leading edge, a trailing edge, a top, a bottom and a plurality of vents formed between adjacent aerodynamically shaped standoff vanes coupled to the rotor, wherein the vents are circumferentially distributed between the hub and the rotor, ~~and~~ air flow is induced to flow through the plurality of vents, and the aerodynamically shaped standoff vanes space apart the hub from the rotor.